

State of Wisconsin



2021 Senate Bill 212

Date of enactment:
Date of publication*:

2021 WISCONSIN ACT

AN ACT *to renumber and amend* 6.87 (6d) and 6.87 (9); *to amend* 12.60 (1) (a); and *to create* 6.87 (6d) (a) to (L), 6.87 (9) (b), 12.13 (2) (b) 3g., 12.13 (2) (b) 3r. and 12.13 (2) (b) 9. of the statutes; **relating to:** defects on absentee ballot certificates, certain kinds of election fraud, and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1c. 6.87 (6d) of the statutes is renumbered 6.87 (6d) (intro.) and amended to read:

6.87 (6d) (intro.) ~~If a certificate is missing the address of a witness, the ballot~~ An absentee ballot with no certificate or with a certificate that does not include all of the following may not be counted:

SECTION 1d. 6.87 (6d) (a) to (L) of the statutes are created to read:

- 6.87 (6d) (a) The elector's printed first name.
- (b) The elector's printed last name.
- (c) The elector's house or apartment number.
- (d) The elector's street name.
- (e) The elector's municipality.
- (f) The elector's signature.
- (g) The witness's printed first name.
- (h) The witness's printed last name.
- (i) The witness's house or apartment number.
- (j) The witness's street name.
- (k) The witness's municipality.
- (L) The witness's signature.

SECTION 1g. 6.87 (9) of the statutes is renumbered 6.87 (9) (a) and amended to read:

6.87 (9) (a) If a municipal clerk receives an absentee ballot with an improperly completed certificate or with no certificate, the clerk may return the ballot to the elector, inside the sealed envelope when an envelope is received, together with a new envelope if necessary, whenever time permits the elector to correct the defect and return the ballot within the period authorized under sub. (6), and the clerk shall post a notification of the defect on the elector's voter information page on the Internet site that is used by electors for original registration under s. 6.30 (5). The clerk may also attempt to notify the elector of the defect by other means.

SECTION 1h. 6.87 (9) (b) of the statutes is created to read:

6.87 (9) (b) No person other than the elector, or the witness with respect to the witness certificate, may correct a defect in the elector's absentee ballot certificate. Whoever violates this paragraph is guilty of a misdemeanor punishable by a fine not to exceed \$500 or imprisonment not to exceed 30 days, or both.

SECTION 2. 12.13 (2) (b) 3g. of the statutes is created to read:

12.13 (2) (b) 3g. Intentionally assist or cause the casting or counting of a vote or the receipt of a registration

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

that is invalid for any reason in addition to those specified in subd. 3.

SECTION 3. 12.13 (2) (b) 3r. of the statutes is created to read:

12.13 (2) (b) 3r. Intentionally assist or cause the rejection of or failure to otherwise count a valid vote or the rejection of a valid registration.

SECTION 4. 12.13 (2) (b) 9. of the statutes is created to read:

12.13 (2) (b) 9. Intentionally fail to promptly report a violation under this subsection to the commission and

to the district attorney for the county in which the violation occurred.

SECTION 5. 12.60 (1) (a) of the statutes is amended to read:

12.60 (1) (a) Whoever violates s. 12.09, 12.11, or 12.13 (1), (2) (b) 1. to 7. or 9. or (3) (a), (e), (f), (j), (k), (L), (m), (y) or (z) is guilty of a Class I felony, except that a whoever violates s. 12.13 (2) (b) 9. by failing to report a violation of s. 12.13 (2) (b) 8. is subject to the penalty specified in par. (b).
